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**FAX**

Date February 9, 2005

To Examiner Dieu-Minh Thai Le

Of PTO Group Art Unit 2181

Fax (703) 872-9306

From Grant K. Rowan

Subject Terminal Disclaimer

Our Ref Q78518                      Appln No 10/727,654

Conf No 8946                      Inventors Masaru HOSHINO

Pages 7 (including cover sheet) Seven pages

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This fax filing includes:

1. This cover sheet
2. Terminal Disclaimer
3. Submission of Terminal Disclaimer (in duplicate)

#### CERTIFICATION OF FACSIMILE TRANSMISSION

Sir:

I hereby certify that the above identified correspondence is being facsimile transmitted to Examiner Dieu-Minh Thai Le at the Patent and Trademark Office on February 9, 2005 at (703) 872-9306.

Respectfully submitted,

  
Grant K. Rowan

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q78518

Masaru HOSHINO

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Appln. No.: 10/727,654

Group Art Unit: 2181

**FEB 09 2005**

Confirmation No.: 8946

Examiner: Dieu-Minh Thai Le

Filed: December 5, 2003

For: PROGRAM STARTER SYSTEM, AND METHOD OF CONTROLLING PROGRAM  
STARTUP

**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned, on behalf of the petitioner, SEIKO EPSON CORPORATION, represents that the petitioner, SEIKO EPSON CORPORATION is the owner of the entire right, title and interest of U.S. Application No. 09/635,405, filed on August 10, 2000 for Program Starter System, and Method of Controlling Program Startup by virtue of an Assignment from all of the inventors thereof executed on September 11, 2000, recorded on December 1, 2000 at Reel 011349, Frame 0850, now issued as U.S. Patent 6,701,458 as well as the entire right, title and interest in the above-captioned U.S. Application No. 10/727,654 by virtue of an Assignment from all of the inventors thereof executed on September 11, 2000, recorded on December 1, 2000, at Reel 011349, Frame 0850.

## Terminal Disclaimer

U.S. Patent Application Ser. No.: 10/727,654

Petitioner hereby certifies that the above-mentioned Assignments have been reviewed and to the best of petitioner's knowledge and belief, title is in petitioner who is seeking to take this action.

Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 10/727,654 which would extend beyond the expiration of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,701,458, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 10/727,654 shall be enforceable only for and during such period that the legal title to U.S. Patent 6,701,458 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 10/727,654, this agreement to run with any patent granted on the above-captioned U.S. Application No. 10/727,654 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 10/727,654 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,701,458 in the event that U.S. Patent 6,701,458 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Terminal Disclaimer

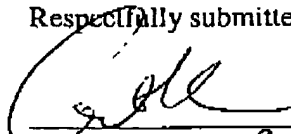
U.S. Patent Application Ser. No.: 10/727,654

The undersigned is an attorney of record.

Date:

2/9/05

Respectfully submitted,



Grant K. Rowan Reg. No. 41278

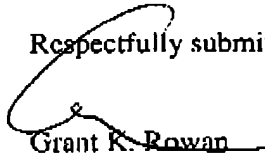
Title: Attorney for Seiko Epson Corporation

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Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. The Commissioner is authorized to charge the amount of \$110.00 to Deposit Account No. 19-4880. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy is attached.

Respectfully submitted,

SUGHRUE MION, PLLC  
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Facsimile: (202) 293-7860

Grant K. Rowan  
Registration No. 41,278

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: February 9, 2005

Submission of Terminal Disclaimer  
U.S. Appln. No. 10/727,654

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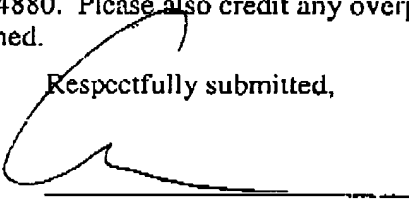
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